

CCRB INVESTIGATIVE RECOMMENDATION

| | | | | | |
|---|-------------------------------------|---------------------------|--|------------------------------------|--|
| Investigator: Chanan Berkovits | Team: Team # 8 | CCRB Case #: 200912156 | <input checked="" type="checkbox"/> Force | <input type="checkbox"/> Discourt. | <input type="checkbox"/> U.S. |
| | | | <input checked="" type="checkbox"/> Abuse | <input type="checkbox"/> O.L. | <input checked="" type="checkbox"/> Injury |
| Incident Date(s) Thursday, 08/06/2009 6:30 AM | Location of Incident: § 87(2)(b) | Precinct: 114 | 18 Mo. SOL 2/6/2011 | EO SOL 2/6/2011 | |
| Date/Time CV Reported Fri, 08/07/2009 11:22 AM | CV Reported At: CCRB | How CV Reported: Phone | Date/Time Received at CCRB Fri, 08/07/2009 11:22 AM | | |

| Complainant/Victim | Type | Home Address |
|--------------------|------------|--------------|
| § 87(2)(b) | § 87(2)(b) | § 87(2)(b) |
| § 87(2)(b) | § 87(2)(b) | § 87(2)(b) |

| Subject Officer(s) | Shield | TaxID | Command |
|------------------------|--------|--------|---------|
| 1. Officers | | | NARCBQN |
| 2. DT3 Bryan Zuccaro | 02449 | 931484 | NARCBQN |
| 3. DT3 Kevin Pecorella | 03245 | 921665 | NARCBQN |

| Witness Officer(s) | Shield No | Tax No | Cmd Name |
|------------------------|-----------|--------|----------|
| 1. DT2 Michael Cervini | 02426 | 913928 | NARCBQN |

| Officer(s) | Allegation | Investigator Recommendation |
|------------------------|--|-----------------------------|
| A. Officers | Abuse: Officers entered and searched § 87(2)(b) § 87(2)(b) | § 87(2)(b) |
| B. DT3 Bryan Zuccaro | Force: Bryan Zuccaro struck § 87(2)(b) with a police shield. | § 87(2)(b) |
| C. DT3 Kevin Pecorella | Force: Kevin Pecorella struck § 87(2)(b) with a police shield. | § 87(2)(b) |
| D. Officers | Abuse: Officers refused to show a search warrant to § 87(2)(b) | § 87(2)(b) |
| E. Officers | Abuse: Officers damaged § 87(2)(b)'s property. | § 87(2)(b) |

Synopsis

Lt. Gordon Hughes of Narcotics Borough Queens North filed a complaint with Internal Affairs on behalf of § 87(2)(b) on August 6, 2009 generating log number 09-38521. This complaint was received by the CCRB on August 7, 2009. § 87(2)(b) filed a duplicate complaint with the CCRB over the phone on August 7, 2009. § 87(2)(b) provided a brief telephone statement on August 13, 2009.

On August 6, 2009, at approximately 6:30 AM, approximately 20 officers entered § 87(2)(b) and § 87(2)(b)'s home located at § 87(2)(b) in Queens (**Allegation A**). Several officers entered § 87(2)(b)'s bedroom. Det. Bryan Zuccaro and Det. Kevin Pecorella of Narcotics Borough Queens North stuck § 87(2)(b) in the head with a police shield (**Allegations B and C**). § 87(2)(b) sustained a laceration to his forehead. § 87(2)(b) asked the officers to show him a search warrant, but they did not do so (**Allegation D**). § 87(2)(b) and § 87(2)(b) were handcuffed, and EMS arrived. EMS examined both § 87(2)(b) and § 87(2)(b). § 87(2)(b) was arrested, and § 87(2)(b) was released. § 87(2)(b) was unable to photograph his injury because the officers damaged his camera during their search of his home (**Allegation E**).

The investigation was ultimately unable to obtain an official statement from either § 87(2)(b) of § 87(2)(b). § 87(2)(b)'s arrest report records that Det. Michael Cervini of Narcotics Borough Queens North was his arresting officer. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

The investigation made the following attempts to obtain an official statement from § 87(2)(b) and § 87(2)(b). On August 20, 2009, § 87(2)(b) and § 87(2)(b) both scheduled appointments to provide a formal statement at the CCRB on August 27, 2009. § 87(2)(b) and § 87(2)(b) did not appear for their appointments. They did not call the investigator in advance to cancel or reschedule. On August 28, 2009, the investigation contacted § 87(2)(b) in order to schedule a second appointment. § 87(2)(b) stated that she needed to consult with § 87(2)(b) before she could schedule an appointment. She stated that she would have § 87(2)(b) contact the investigator in order to schedule an appointment. On August 28, 2009, when contacted by the investigator, § 87(2)(b) scheduled an appointment for himself and § 87(2)(b) on September 3, 2009. Given that § 87(2)(b) and § 87(2)(b) live together, and that § 87(2)(b) stated that she needed to confer with § 87(2)(b) before scheduling an appointment, it was reasonable to believe that § 87(2)(b) could schedule appointments on behalf of § 87(2)(b). On September 3, 2009, § 87(2)(b) and § 87(2)(b) failed to appear for their interview appointments. They did not call the investigator in advance to cancel or reschedule. § 87(2)(g)

§ 87(2)(b)

Investigator:
Chanan Berkovits

Date: September 4, 2009

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: